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Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO,
HEATHER FONG AND JESSE SERNA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARCO MAESTRINI,

Plaintiff,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, a municipal corporation;
HEATHER FONG, in her capacity as
Chief of Police for the CITY AND
COUNTY OF SAN FRANCISCO; JESSE
SERNA, individually, and in his capacity
as a police officer for the CITY AND
COUNTY OF SAN FRANCISCO; and,
San Francisco police officers DOES 1-25,
inclusive,

Defendants.

Case No. C 07-2941 PJH

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE DEADLINES
FOR DISCLOSURE OF EXPERTS,
DISCLOSURE OF REBUTTAL
EXPERTS, AND EXPERT
DISCOVERY**

1 The undersigned parties, through counsel, STIPULATE and AGREE and jointly request
2 modification of the Court's August 28, 2008 Modified Order to Continue Trial Date and Related
3 Pretrial Deadlines as follows:

4 Disclosure of Experts (retained and non-retained): Monday, May 4, 2009 (from Monday,
5 April 13, 2009)

6 Disclosure of Rebuttal Experts: Friday, May 15, 2009 (from Wednesday, April 22, 2009)

7 Expert Discovery Cutoff: Friday, May 29, 2009 (from Friday, May 22, 2009)

8 All other dates, including the trial date, will remain the same.

9 The parties make this request based on the following circumstances:

10 1. The parties are currently involved in settlement negotiations with the help of the court-
11 assigned mediator Christopher Johns.

12 2. Defendants' summary judgment motion will be heard on Wednesday, March 25, 2009.

13 3. An order on defendants' summary judgment motion would help facilitate settlement
14 negotiations.

15 4. Avoiding the costs associated with expert discovery will also facilitate settlement
16 negotiations.

17 5. The parties plan to get together with mediator Christopher Johns within a week of
18 receipt of the court's summary judgment order to reengage in settlement negotiations.

19 6. The parties request continuations of the specified pretrial deadlines as set forth above.

20 7. Pursuant to stipulation of the parties, and based, *inter alia*, on the fact that new defense
21 counsel had just substituted in and needed to get up to speed on the case as well as the fact that
22 additional discovery still needed to be conducted, on August 28, 2008, the Court extended the pretrial
23 deadlines and continued the trial date. Other than the aforementioned, there have been no other
24 modifications to the portions of the Case Management order that this stipulation seeks to modify. No
25 other dates will be affected by the requested changes.

**SIGNATURE PAGE TO STIPULATION AND [PROPOSED] ORDER TO CONTINUE
DEADLINES FOR DISCLOSURE OF EXPERTS, DISCLOSURE OF REBUTTAL
EXPERTS, AND EXPERT DISCOVERY**

STIPULATED AND AGREED:

Dated: March 20, 2009

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy
ROBERT BONTA
SEAN F. CONNOLLY
Deputy City Attorneys

By: _____/s/_____
ROBERT BONTA
Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO,
HEATHER FONG AND JESSE SERNA

Dated: March 20, 2009

LAW OFFICE OF JOHN L. BURRIS
JOHN L. BURRIS
BENJAMIN NISENBAUM

By: _____/s/_____
BENJAMIN NISENBAUM
Attorneys for Plaintiff
MARCO MAESTRINI

ORDER

Pursuant to stipulation, and for good cause appearing, IT IS ORDERED that the pre-trial deadlines be continued as follows:

Disclosure of Experts (retained and non-retained): Monday, May 4, 2009

Disclosure of Rebuttal Experts: Friday, May 15, 2009

Expert Discovery Cutoff: Friday, May 29, 2009

All other dates, including the trial date, will remain the same.

DATED: 3/23/09

